

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ROBERT H. NESBITT, JR.,

Plaintiff,

vs.

No. CIV S-03-2243 MCE DAD P

NEIL WAKABAYASHI, et al.,

Defendants.

**ORDER & WRIT OF HABEAS CORPUS
AD TESTIFICANDUM**

Robert Hayden Nesbitt, Jr., inmate # F-08954, a necessary and material witness in proceedings in this case on September 9, 2010, is confined in Pelican Bay State Prison, 5905 Lake Earl Drive, Crescent City, California 95531, in the custody of the Warden; in order to secure this inmate's attendance it is necessary that a Writ of Habeas Corpus ad Testificandum issue commanding the custodian to produce the inmate before Magistrate Judge Dale A. Drozd to appear by video conference at the U. S. District Court, Courtroom #27, 501 I Street, Sacramento, California 95814, on Thursday, September 9, 2010 at 10:00 a.m.

ACCORDINGLY, IT IS ORDERED that:

1. A Writ of Habeas Corpus ad Testificandum issue, under the seal of this court, commanding the Warden to produce the inmate named above to participate in a settlement conference by video conference at the time and place above, until completion of the settlement conference or as ordered by Judge Dale A. Drozd; and
2. The custodian is ordered to notify the court of any change in custody of this inmate and is ordered to provide the new custodian with a copy of this writ.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: Warden, Pelican Bay State Prison, P. O. Box 7000, Crescent City, California 95531:

WE COMMAND you to produce the inmate named above to testify before Judge Drozd by video conference at the time and place above, until completion of the settlement conference or as ordered by Judge Drozd.

FURTHER, you have been ordered to notify the court of any change in custody of the inmate and have been ordered to provide the new custodian with a copy of this writ.

DATED: June 28, 2010.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE